



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH
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July 14, 2004

TO: Washington State Board of Health Members

FROM: Carl Osaki, Board Member

RE: HEARING CONTINUANCE ON WATER RECREATION, CHAPTER 246-260 WAC

Background and Summary

The State Board of Health last made significant revisions to the rules regulating water recreation facilities in April 1990. It was the first major change to the rules since 1956. The code was renumbered in 1992 and now constitutes chapter [246-260 WAC](#).

On Nov. 1, 2000, the Board filed a [CR-101 \(WSR 00-22-122\)](#) announcing it was considering changes to these rules. The Department of Health (DOH) convened a task force of public health experts and stakeholders that reviewed the current rule and recommended changes. The Board was briefed about proposed changes at its March 10 meeting and filed a CR-102 with the Code Reviser on April 6 ([WSR 04-08-099](#)). On May 12 it held a public hearing on the draft rule (see attached materials). It received a briefing that included a summary of written comments received during the public comment period and it received testimony during the public hearing from two managers of health clubs in support of the draft language.

During the discussion that followed the oral comments, the Board considered a motion to adopt. Several Board members had outstanding questions and others felt there was not enough time on the agenda to try to reach consensus before voting. The motion was withdrawn before a vote was taken and Chair Linda Lake instructed staff to continue the discussion and possible vote until today's meeting. The Board subsequently files a revised CR-102 continuing the discussion until today ([WSR 04-12-118](#)).

I have asked Maryanne Guichard, DOH Director of Environmental Health and Safety, and Gary Fraser, Water Quality Program Manager, to come before us again to specifically address questions that arose during the Board's May 12 discussion and that may not have been adequately answered. These include questions about: (1) the age distribution of swimmers; (2) the age distribution of adults, including elderly, who drown or partially drown; (3) the efficacy and effectiveness of lifeguarding; (4) the economic impact on small facilities of addition requirements for lifeguards when children are present; and (5) the role of parents and other adults in the supervision young swimmers.

Recommended Board Action

I recommend that the Board consider, amend if necessary, and adopt the following motion.

The Board adopts the revised chapter 246-260 WAC as published in WSR 04-08-099 with the following change: In WAC 246-260-171(1) the date "July 26, 1987" is changed to "October 31, 2004."

Attachments